

NO-RETALIATION POLICY

1419

(No. 1 May 2015)

[Title VII of the Civil Rights Act of 1964](#)

[Fair Employment and Housing Act](#)

[The Ralph Civil Rights Act](#)

1400 Equal Employment Opportunity Handbook sections 1404 and 1405

No one will be subject to, and Department policy prohibits, any form of retaliation for:

- 1) Reporting perceived violations of the Department's EEO policies;
- 2) Pursuing any such complaint; or
- 3) Participating or cooperating in any way in the investigation of such complaint.

Anyone involved in an EEO complaint as a complainant, witness, support person, or investigator is protected against retaliation. The Department policy also prohibits retaliation against individuals for requesting a Reasonable Accommodation related to a disability or religious belief/practice.

Retaliation is conduct that has an unfavorable material impact on the participant's working conditions because the nature of the work changes, or the working conditions change in such a way that it interferes with the employee's ability to do his or her job. There are two types of retaliation related to EEO issues; harassment and adverse employment action.

The following are examples of conduct prohibited by this policy. These examples are intended to be illustrative only, and do not represent the only circumstances in which conduct may violate this policy.

Retaliation Adverse Employment Action Example:

After an employee requests an ergonomic keyboard because they have arthritis, their work assignments change and they are given less complex assignments that were previously assigned to less experienced staff.

Retaliation Adverse Employment Action Example:

After filing a discrimination complaint, an employee receives an unwarranted and unfavorable change to her job duties that is not based on the Department's legitimate business needs.

Retaliation Harassment Example:

After an employee is interviewed as part of an investigation into a harassment complaint, his co-workers openly refer to him as a "snitch" and refuse to speak to him about work-related assignments.

Retaliation Harassment Example:

After an employee requests a work schedule adjustment to attend a religious service, coworkers start calling her "Holy Helen."

In addition, harassment may also include any behavior or conduct that imposes a chilling effect on the employee's ability to file a complaint.

If someone is involved in an EEO matter or has made a Reasonable Accommodation request, continue to treat the person in a professional and courteous manner. You must continue to communicate with the individual on work-related issues to ensure that all employees are able to complete their required job duties. One act of retaliation may constitute a violation of this policy.

[\(see Next Section\)](#)

[\(see Handbook Table of Contents\)](#)

[\(see Forms and Form Samples\)](#)